

BRIAN D. NETTLES, ESQ.
Nevada Bar No. 7462
WILLIAM R. KILLIP, JR.
Nevada Bar No. 3660
JENNIFER PETERSON, ESQ.
Nevada Bar No. 11242
NETTLES LAW FIRM
1389 Galleria Drive, Suite 200
Henderson, Nevada 89014
Telephone: (702) 434-8282
Facsimile: (702) 434-1488
brian@nettleslawfirm.com
bill@nettleslawfirm.com
jennifer@nettleslawfirm.com
Attorneys for Plaintiff

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

MICHELLE ZAPINSKI, an individual;

CASE NO.: 2:17-CV-2176

Plaintiffs,

vs.

**STIPULATION AND ORDER TO
EXTEND DISCOVERY DEADLINE
DATES (SECOND REQUEST)**

WAL-MART STORES, INC., a foreign
corporation d/b/a WAL-MART
SUPERCENTER #1584; DOES 1 through
10, inclusive; ROE CORPORATIONS 11
through 20, inclusive; and ABC LIMITED
LIABILITY COMPANIES 21 through 30,
inclusive,

Defendants.

COME NOW, Plaintiff MICHELLE ZAPINSKI, by and through her attorneys BRIAN D. NETTLES, ESQ., and WILLIAM R. KILLIP, JR., ESQ., and JENNIFER A. PETERSON, ESQ., of the NETTLES LAW FIRM; and Defendant WAL-MART STORES, INC. d/b/a WAL-MART SUPERCENTER #1584, by and through their attorneys ROBERT K. PHILLIPS, ESQ., and RYAN KERBOW, ESQ., of PHILLIPS, SPALLAS & ANGSTADT, LLC, and hereby submit the following Stipulation pursuant to Local Rule 26-4. Based upon the following, the Parties

request this Court extend all discovery deadlines by forty-five (45) days. This request is made in good faith and not to unduly delay the proceedings.

I. Local Rule 6-1

Under LR 6-1(b) every stipulation to extend time must inform the court of any previous extensions granted and state the reason for the extension requested.

a. The Requirement of Local Rule 6-1 Are Satisfied

This is the second request for extension filed by the parties. The first extension was granted on November 13, 2017. The parties are seeking this extension in order to attend mediation prior to engaging in additional expert discovery.

II. Local Rule 26-4(a)

Under LR 26-4(a) a statement specifying the Discovery completed:

- a. Initial disclosures have been exchanged between all parties.
- b. Written discovery has been expedited.
- c. Plaintiff Michelle Zapinski has had her deposition taken
- d. Plaintiff's Orthopedic Surgeon, Yevgeniy Khavkin, M.D., has been deposed
- e. Defendant's employee Joe Williams has been deposed

III. Local Rule 26-4(b)

Under LR 26-4(b) a specific description of the Discovery that remains to be completed:

- a. The remaining Discovery to be completed is Plaintiff's deposition, FRCP 30(b)(6) deposition of Defendant, Deposition of Defendant's employee Jennifer Cortez', depositions of any other of Plaintiff's treating physicians other than Dr. Khavkin, and disclosure and depositions of the experts.

IV. Local Rule 26-4(c)

Under LR 26-4(c) the reasons why Discovery remaining was not completed within the time limits set by the Discovery Plan:

- a. Discovery is on-schedule; however, the parties wish to extend the discovery deadlines in order to attend and attempt to settle this matter in mediation. This decision was

made in an attempt to limit the amount of costs expended if the parties are to get this matter settled.

V. Local Rule 26-4(d)

Under LR 26-4(d) a proposed schedule for completing all remaining Discovery:

a. Discovery cutoff dates:

Current date: April 13, 2018

Proposed date: May 28, 2018

b. Amending the Pleadings and Adding Parties:

Current date: January 12, 2018

Proposed date: This date has already passed

c. Disclosures of Experts:

i. Initial expert disclosures:

Current date: February 12, 2018

Proposed date: March 29, 2018

ii. Rebuttal expert disclosures:

Current date: March 14, 2018

Proposed date: April 30, 2018

d. Interim Status Report:

Current date: February 12, 2018

Proposed date: March 29, 2018

e. Dispositive Motions:

Current date: May 11, 2018

Proposed date: June 25, 2018

f. Joint Pre-Trial Order:

Current date: June 12, 2018

Proposed date: July 27, 2018

Therefore, good cause existing, counsel jointly request that this Honorable Court allow them the above proposed extended Discovery dates.

DATED this 9th day of February, 2018.

DATED this 9th day of February, 2018.

NETTLES LAW FIRM

PHILLIPS, SPALLAS & ANGSTADT LLC

By: /s/ Jennifer A. Peterson

By: /s/ Ryan Kerbow

JENNIFER A. PETERSON, ESQ.

RYAN KERBOW, ESQ.

Nevada Bar No. 11242

Nevada Bar No. 11403

1389 Galleria Drive, Suite 200

504 South Ninth Street

Henderson, Nevada 89014

Las Vegas, Nevada 89101

Attorneys for Plaintiff

Attorneys for Defendant

ORDER

Upon stipulation of counsel and good cause appearing therefore:

IT IS HERBY ORDERED that the *Stipulation and Order to Extend Discovery Deadline Dates (First Request)* is hereby approved.

DATED February 12, 2018.


UNITED STATES MAGISTRATE JUDGE

Respectfully submitted by:

NETTLES LAW FIRM

By: /s/ Jennifer A. Peterson

JENNIFER PETERSON, ESQ.

Nevada Bar No. 11242

1389 Galleria Drive, Suite 200

Henderson, Nevada 89014

Attorney for Plaintiff